

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

COMMODITY FUTURES TRADING
COMMISSION, et al.,
Plaintiffs,

v.

TMTE Inc., et al.,

Defendants.

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Civil Action No. **3:20-cv-2910-L**

ORDER

Before the court is Defendants Lucas Asher and Simon Batashvili's ("Defendants") Unopposed Motion for Continuance (Doc. 144), filed October 1, 2020, and their Amended Unopposed Motion for Continuance ("Amended Motion") (Doc. 147), filed October 2, 2020. As an Amended Motion was filed, Defendants' Original Unopposed Motion for Continuance (Doc. 144) is **denied as moot**.

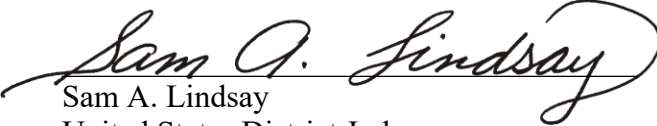
In Defendants' Amended Motion, they request a continuance of the preliminary injunction hearing scheduled for October 6, 2020, until October 27, 2020. According to the Certificate of Conference, counsel for the Commodity Futures Trading Commission ("CFTC"), who indicated he has authority to speak on behalf of all Plaintiffs, stated that Plaintiffs are not opposed to the continuance. It further notes that Defendant TMTE, Inc. and Relief Defendant Tower Equity are also not opposed. Additionally, Defendants request that the terms of the statutory restraining order ("SRO") be extended until the date of the rescheduled preliminary injunction hearing and that briefing be filed with the court two business days before the rescheduling hearing.

After consideration of the request for continuance and in the interest of justice, the court **grants** Defendants Asher and Batashvili's Amended Unopposed Motion for Continuance (Doc.

144). Accordingly, given that the parties' agree, the preliminary injunction hearing scheduled for October 6, 2020 is hereby **vacated**, and **reset** for **October 27, 2020, at 9:00 a.m.** Defendants' response or memorandum of law **must** be filed by **5:00 p.m., October 15, 2020**; and any reply by Plaintiffs **must** be filed by **5:00 p.m., October 20, 2020**.

Based on the agreement of the parties, the court further **orders** that the terms of the SRO and appointment of temporary receiver as outlined in the order entered by United States District Judge David C. Godbey on September 22, 2020 (Doc. 16), **are hereby extended** and remain in full force and effect until **October 27, 2020, at 5:00 p.m.** This court retains jurisdiction of this matter for all purposes. As this is a mere extension and the parties agree to such extension, the court determines it is unnecessary to restate herein the terms of the SRO and appointment of temporary receiver.

It is so ordered this 5th day of October, 2020.


Sam A. Lindsay
United States District Judge